

Millstone Township Committee Regular Meeting Minutes for September 16, 2020

Mayor Masci calls the meeting to order at 7:35 p.m. at the Millstone Township Meeting Room, 215 Millstone Road, Millstone Twp., NJ 08535

Statement Of Notice As Required By P.L. 1975, C231 Is Read.

I hereby announce that pursuant to the Open Public Meeting Act, adequate notice of this meeting has been provided in the annual notice of meetings which was mailed to the Asbury Park Press and the Trenton Times, posted on the public announcements bulletin board in Town Hall and filed in the Office of the Township Clerk on December 18, 2019.

Due to the Covid-19 Pandemic State of Emergency the Millstone Township Committee meeting was held using the Zoom platform. Members of the public have the option to attend the meeting via Zoom or in person. Members of the Township Committee and Township Attorney attended the meeting via Zoom; Business Administrator and Municipal Clerk were present at the meeting room.

ROLL CALL: Mayor Masci – present, Committeeman Dorfman – present, Committeeman Ferro - present, Committeewoman Grbelja – present, Committeeman Kuczinski – present. Also, in attendance: Robert Munoz - Township Attorney, Business Administrator – Kevin Abernethy and Kathleen Hart - Municipal Clerk.

Municipal Clerk read Resolution 20-300 Authorizing the Holding of an Executive Session, at Which the Public Shall be Excluded

Motion to adopt Resolution 20-300 was moved by C/Kuczinski; Second by C/Dorman.

Committee Discussion: None

ROLL CALL VOTE:

AYES: C/Dorfman, C/Ferro, DM/Grbelja, C/Kuczinski, M/Masci

NAYS: None

ABSTAIN: None

ABSENT: M/Masci

Motion to adjourn Executive Session was moved by C/Kuczinski; Second by C/Ferro. All in Favor

Time In: 7:39 p.m.; Time Out: 7:59 p.m.

Mayor Masci calls the Regular Meeting to order at 8:03 p.m. followed by a flag salute and a moment of silence.

Mayor Masci read the following statement: Due to the COVID-19 pandemic the Township Committee Meeting of September 16, 2020 will be utilizing the Zoom platform. For public comment section you can also email askmillstone@millstonenj.gov with your questions or public comments along with your name and address. Your comments will be read into the record. This meeting will also be recorded and be replayed on the Millstone PEG Channel.

PRESENTATION:

A presentation was done by Mr. Michael Pisauro, Policy Director of the Watershed Institute updating the Township Committee on the new stormwater management regulations from the NJDEP that go into effect

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March 2021. The average annual precipitation has increased in the 21st century due to climate change with more significant intense storms. This has a huge impact on the eco system, environment, streets, houses and buildings. The Green Infrastructure Rule requires stormwater addressing using “Green Techniques”. Such as rain gardens. The Township will need to strengthen Millstone’s stormwater ordinance for major and minor development projects. The Watershed Institute has a model ordinance on their website along with a training course. See attached PowerPoint presentation.

Mayor Masci states that the Township Engineer is revising the Stormwater Management Ordinance for the Township. He thanks Mr. Pisaurro for the presentation.

ORDINANCES:

ORDINANCE 20-30

SECOND READING

AN ORDINANCE AMENDING CHAPTER XIII (FIRE DISTRICT), BY CREATING SECTION 13-5 (EMERGENCY MEDICAL SERVICES) OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF MILLSTONE, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY

EXPLANATORY STATEMENT: This Ordinance creates Section 13-5, Emergency Medical Services.

Mayor Masci opens the public hearing at 8:57 p.m.

No public comment.

Mayor Masci closes the public hearing at 8:58 p.m.

Motion to adopt Ordinance 20-30 was moved by C/Kuczinski; Second by C/Ferro.

ROLL CALL VOTE:

AYES: C/Kuczinski, C/Dorfman, C/Ferro, DM/Grbelja, M/Masci

NAYS: None

ABSTAIN: None

ABSENT: None

ORDINANCE 20-31

SECOND READING

AN ORDINANCE AMENDING CHAPTER II, ADMINISTRATION, SECTION 2-34 (OPEN SPACE AND FARMLAND PRESERVATION COUNCIL), OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF MILLSTONE, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY

EXPLANATORY STATEMENT: This Ordinance amends the powers and duties of the Open Space Preservation Council.

Mayor Masci opens the public hearing at 8:59 p.m.

No public comment.

Mayor Masci closes the public hearing at 9:00 p.m.

Motion to adopt Ordinance 20-31 was moved by DM/Grbelja; Second by C/Kuczinski.

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ROLL CALL VOTE:

AYES: C/Kuczinski, C/Dorfman, DM/Grbelja, M/Masci
NAYS: C/Ferro
ABSTAIN: None
ABSENT: None

ORDINANCE 20-32

SECOND READING

AN ORDINANCE AMENDING CHAPTER II, ADMINISTRATION, SECTION 2-29 (AGRICULTURAL ADVISORY COUNCIL) OF THE REVISED ORDINANCES OF THE TOWNSHIP OF MILLSTONE, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY

EXPLANATORY STATEMENT: This Ordinance amends the powers and duties of the Agricultural Advisory Council.

Mayor Masci opens the public hearing at 9:01 p.m.

Tara Zabrosky, 99 Baird Rd, questions why in this ordinance does the membership term give the power to the Mayor to appoint this Council. The Mayor states that there is a process that this goes through before the Mayor makes the appointments. DM/Grbelja reviews the changes that were made in the ordinance.

Mayor Masci closes the public hearing at 9:10 p.m.

Motion to adopt Ordinance 20-32 was moved by DM/Grbelja; Second by C/Kuczinski.

ROLL CALL VOTE:

AYES: C/Kuczinski, C/Dorfman, DM/Grbelja, M/Masci
NAYS: C/Ferro
ABSTAIN: None
ABSENT: None

RESOLUTIONS: CONSENT RESOLUTION POSTED ON BULLETIN BOARD.

ALL MATTERS LISTED UNDER ITEM “CONSENT AGENDA” ARE CONSIDERED ROUTINE BY THE TOWNSHIP COMMITTEE AND WILL BE ENACTED BY ONE (1) MOTION IN THE FORM LISTED BELOW. THERE WILL BE NO SEPARATE DISCUSSION ON THESE ITEMS, IF DISCUSSION IS DESIRED OF ANY ITEM, THAT ITEM WILL BE CONSIDERED SEPARATELY.

- 20-301 Payment of Vouchers for September 16, 2020
- 20-302 Resolution Authorizing the Renewal of Alcohol Beverage 2020-2021 License for the Millstone Township Elks No. 2613 License No. 1332-31-005-002
- 20-303 Resolution Authorizing the Renewal of Alcohol Beverage 2020-2021 License for Domal Restaurant Corp., T/A Tommy’s Inn at Millstone License No. 1332-33-003-010
- 20-304 Resolution Awarding a Contract for the 2020 Roadway Improvement Program

Motion to adopt Consent Agenda was moved by C/Dorfman; Second by M/Masci.

ROLL CALL VOTE:

AYES: C/Kuczinski, C/Dorfman, C/Ferro, DM/Grbelja, M/Masci
NAYS: None
ABSTAIN: None

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ABSENT: None

REPORTS FROM VARIOUS DEPARTMENTS FOR AUGUST 2020:

Tax Collector	\$8,968,744.84
Clerks Report	\$ 5,453.05
Dog License	\$ 128.20
Building Department	\$ 31,485.00
COAH	\$ 4,004.00
Municipal Court	\$ 8,122.45
2020 Interest Revenue	

Motion to file, Moved by C/Kuczinski; Second by DM/Grbelja. All in Favor.

TOWNSHIP COMMITTEE MINUTES:

1. Executive Meeting Minutes – September 2, 2020

Motion to adopt Executive Meeting Minutes of September 2, 2020 was moved by C/Kuczinski; Second by DM/Grbelja.

ROLL CALL VOTE:

AYES: C/Dorfman, C/Ferro, DM/Grbelja, C/Kuczinski
NAYS: None
ABSTAIN: M/Masci
ABSENT: None

2. Regular Meeting Minutes – September 2, 2020

Motion to adopt Regular Meeting Minutes of September 2, 2020 was moved by DM/Grbelja; Second by C/Dorfman.

ROLL CALL VOTE:

AYES: C/Ferro, DM/Grbelja, C/Kuczinski, C/Dorfman
NAYS: None
ABSTAIN: M/Masci
ABSENT: None

APPLICATION FOR A RAFFLE LICENSE:

1. Standardbred Retirement Foundation, RA#273, Off-Premise Merchandise Raffle, drawing date December 23, 2020 at 353 Sweetmans Lane, Millstone Twp., NJ 08514

Motion to approve: Moved DM/Grbelja, Second M/Masci. All in Favor.

NEW BUSINESS:

Millstone Township Committee Regular Meeting Minutes for September 16, 2020

M/Masci asks for a motion to amend the agenda to add Resolution 20-305, Opposing All Mail-In Ballot Elections. Moved C/Kuczinski; Second C/Ferro. All in Favor.

Clerk Hart read the following Resolution 20-305 into the record:

RESOLUTION OPPOSING ALL MAIL-IN BALLOT ELECTIONS

WHEREAS, Title 19 of the New Jersey State Statutes sets forth the framework for conducting elections in the State of New Jersey; and

WHEREAS, Title 19 provides for in person voting on election day, and for the ability of voters to apply to vote by mail instead of in person should they choose to do so; and

WHEREAS, via Executive Order, Governor Murphy superseded the statutes regarding in person voting on election day and ordered that the June 2 primary election be moved to July 7 and that the election would be conducted primarily by mail-in ballot, with only limited voting on election day via provisional paper ballot; and

WHEREAS, the practice of compelling all registered voters to vote by mail-in ballot has caused and will cause concern amongst voters for dishonesty, voter fraud and voter disenfranchisement in mail-in elections; and

WHEREAS, the mandated all mail-in voting election has very significantly delayed election results during the primary election in Monmouth County and elsewhere, and that delay is likely to be magnified during any regular election; and

WHEREAS, the State of New Jersey will be holding a General Election on November 3, 2020; and

WHEREAS, voters should not have to be concerned about disenfranchisement, voter fraud and dishonesty, or delayed election results in the November general election.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Millstone that the Governing Body opposes the exclusive use of mail-in ballots for the General Election in November, 2020 and any future elections, except for voters who have requested or request to vote by mail-in ballot, and that the Governor and legislators should proceed to plan for an election process as set forth in the current New Jersey statutes; and

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Governor Murphy, all members of the New Jersey Legislature, the Monmouth County Freeholders, the Monmouth County Clerk, the Municipal Clerks of all towns in Monmouth County, and the New Jersey State League of Municipalities.

M/Masci asks if any member of the Township Committee would like to comment on this resolution:

C/Dorfman is in favor of this resolution and would like it to go further to show proof of identification at time of voting and inclusive of proof of citizenship. DM/Grbelja states that in Millstone Township there were 1,581 ballots that were cast at the Primary Election and 2.8% were rejected. Some of the reasons were for signatures that didn't match, certification line not signed, not post marked and post marked after the date. There should be a place in our community to be able to register your vote. C/Kuczinski states

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that if this is controlled properly, it can be done. M/Masci states that we live in the United States of America and the notion that we can't walk in a social distancing manner to vote is nonsense. C/Ferro states that why is Trenton allowed to pick and choose what is to be opened and closed. Why voting, if you maintain social distancing and proper sanitation, vote the way we are supposed to vote. The Township Committee are all in support of this resolution.

Motion to adopt Resolution 20-305 was moved by C/Ferro; Second by C/Dorfman.

ROLL CALL:

AYES: DM/Grbelja, C/Kuczinski, C/Dorfman, C/Ferro, M/Masci

NAYS: None

ABSTAIN: None

ABSENT: None

Rabies Clinic: Business Administrator discusses with the Township Committee that the County has not had a rabies clinic during this pandemic and would like to know if Millstone Township would be able to help, by possibly, utilizing Millstone Park. There have been some issues with rabies in the Township and would hold it in a controlled manner. The County is looking to do on-line registration and have a few veterinarians on site. There is a potential for a high turnout. The consensus of the Township Committee is to try to get this scheduled.

Fall Brush Drop Off Dates: Business Administrator states that the Fall Brush Drop Off is scheduled on the following dates 10/17, 10/24, 10/31, 11/7, 11/14, 11/21, located at 15 Baird Road from 8am – 1pm for residents to drop off unlimited quantities and larger sized pieces (excluding briars, stumps, vines, leaves, grass or any other material).

DM/Grbelja announces another Park in the Park at Millstone Park is scheduled for October 24, 2020 (rain date is October 30th). The movie is going to be Beetlejuice. M/Masci thanks all volunteers who participated in this event and all the sponsors. It has been a great event.

Business Administrator states that the resolution for the 2020 Road Program was adopted earlier. The roads that are scheduled are: Nurko Road, Hickory Drive, Meadow Court, Autumn Court, Gravatt Circle, Fillmore Road, Ivins Lane, Pine Hill Road, Michael Court, Graham Place, Disbrow Hill Road (by East Windsor), Algonquin Terrace.

OLD BUSINESS:

Business Administrator is looking for some suggestions for the grant for the Transportation Aid Set-Aside Program for trails or bicycle paths.

COMMENTS FROM THE DAIS:

C/Ferro would like to inform the residents that the recycling company is adhering to stricter guidelines and enforcing the rules on what can be recycled. An e-blast was sent out with what can be recycled. Plastic bags are not recyclable. Business Administrator said that the pale can't be larger than 30 gallons, no plastic bags and only flatten the cardboard, don't tie or bind up.

C/Dorfman said that Millstone Park is being used for certain recreation activities. A soccer event was held last weekend and the two year old Flag Football program has 170 registrations. Thanks everyone

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who volunteer their time and to Recreation Commission member, Joe Strickland, on getting this program going.

Business Administrator updates the Township Committee on Millstone Park. Field #5 hardcourt surface should be completed by end of month. Signs are being installed and the baseball fields are being staked out. Many residents are using the park. M/Masci said we have had a soft opening and once everything is complete, will be have an official opening. Business Administrator thanks Andrew DeFelice, Recreation Coordinator, who is doing a great job!

Township Attorney states that per N.J.S.A. 4:1C-43.1b2 the Mayor appoints the advisory boards, with the consent of the municipal governing body.

PRIVILEGE OF THE FLOOR:

M/Masci opens the meeting to the public at 10:03 p.m.

No comments from public on Zoom and public in attendance.

M/Masci closes the meeting to the public at 10:05 p.m.

Motion to adjourn: Moved DM/Grbelja; Second C/Ferro. All in Favor.

Time Out: 10:05 p.m.

Audio of the meeting is available in the Municipal Clerks Office.

September 16, 2020 Township Committee meeting minutes approved at a Township Committee meeting held on October 7, 2020.

Kathleen Hart, RMC
Municipal Clerk

ATTACHMENT A

Millstone Township Stormwater Management

Township Committee Sept 16, 2020

Sophie Glovier
Municipal Policy Specialist

Michael L. Pisaurro
Policy Director



Your water. Your environment. Your voice.

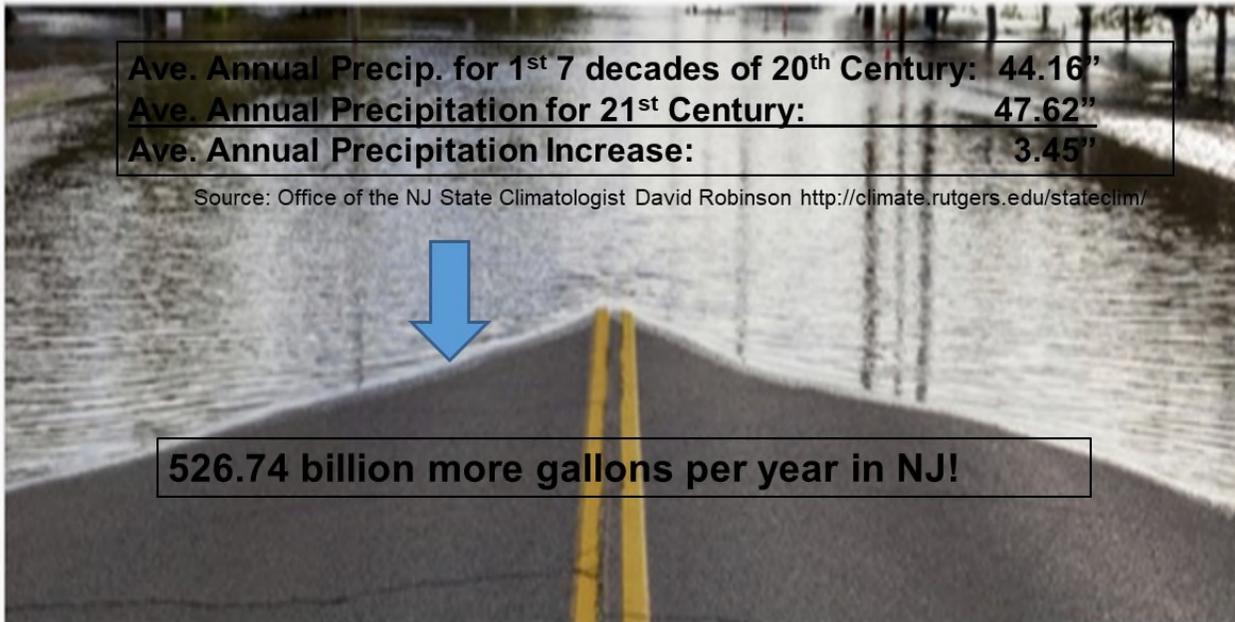


Presentation Outline

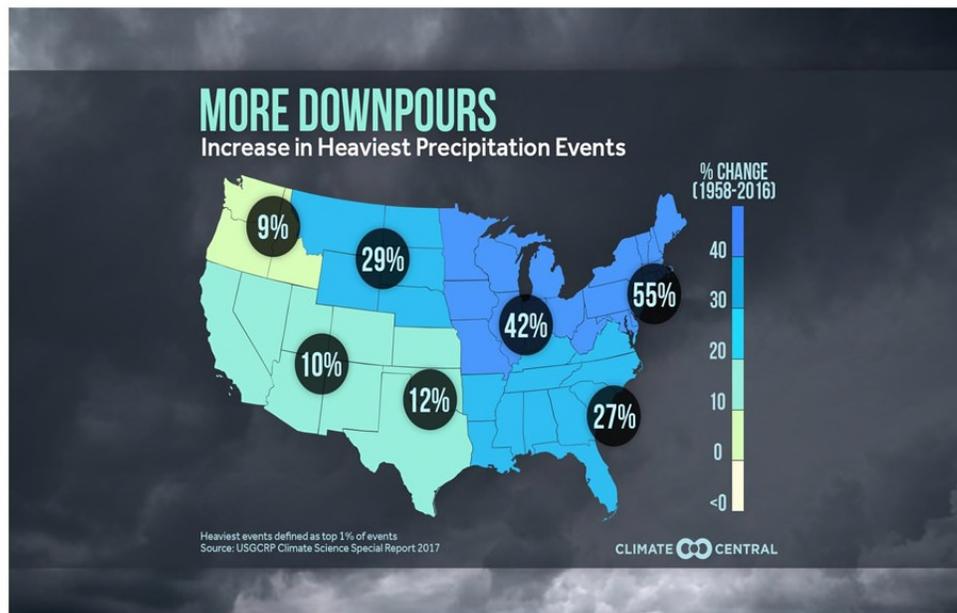


- I. Context
- II. NJDEP's Green Infrastructure Rule
- III. Recommendations for Enhanced Stormwater Management
- IV. Next Steps

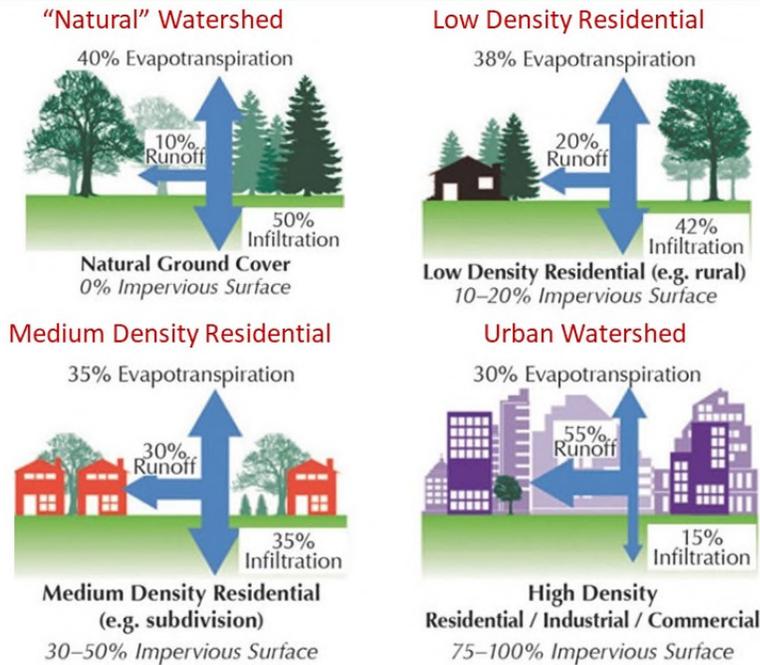
Average Annual Precipitation Has Increased



There are more heavy rain events



The Water Cycle has been altered



Impervious cover in Millstone



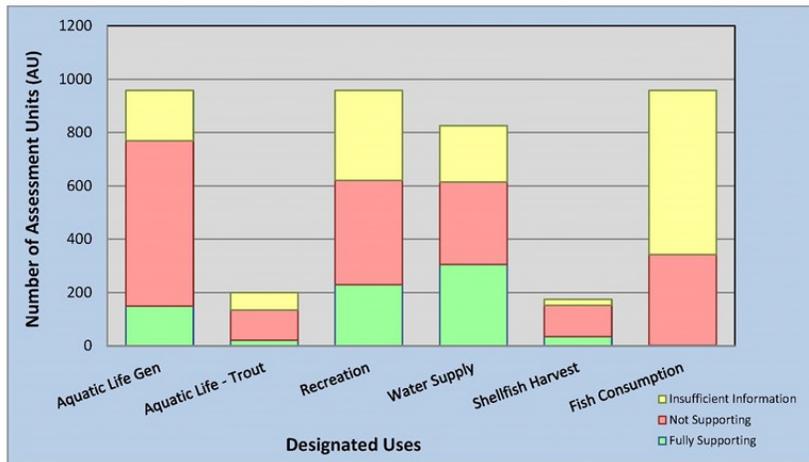
Table 1: Impervious cover analysis by subwatershed for Millstone Township

Subwatershed	Total Area		Land Use Area		Water Area		Impervious Cover		
	(ac)	(mi ²)	(ac)	(mi ²)	(ac)	(mi ²)	(ac)	(mi ²)	(%)
Assumpink Creek	3,050.1	4.77	2,874.3	4.49	175.8	0.27	84.0	0.13	2.9%
Cranbury Brook	380.5	0.59	378.7	0.59	1.81	0.00	47.7	0.07	12.6%
Doctors Creek	2,413.2	3.77	2,371.9	3.71	41.3	0.06	109.3	0.17	4.6%
Lahaway Creek	2,149.9	3.36	2,146.3	3.35	3.60	0.01	82.7	0.13	3.9%
Manalapan Brook	2,287.0	3.57	2,258.5	3.53	28.5	0.04	86.1	0.13	3.8%
Metedeconk River North Branch	91.6	0.14	89.8	0.14	1.76	0.00	9.17	0.01	10.2%
Metedeconk River South Branch	19.3	0.03	19.3	0.03	0.00	0.00	2.16	0.00	11.2%
Millstone River	6,949.8	10.9	6,897.0	10.8	52.8	0.08	318.4	0.50	4.6%
Rocky Brook	4,387.4	6.86	4,336.4	6.78	51.0	0.08	188.9	0.30	4.4%
Toms River	2,071.4	3.24	2,060.6	3.22	10.8	0.02	124.7	0.19	6.1%
Total	23,800.2	37.2	23,432.8	36.6	367.4	0.57	1,053.1	1.65	4.5%

New Jersey Water Pollution Issues



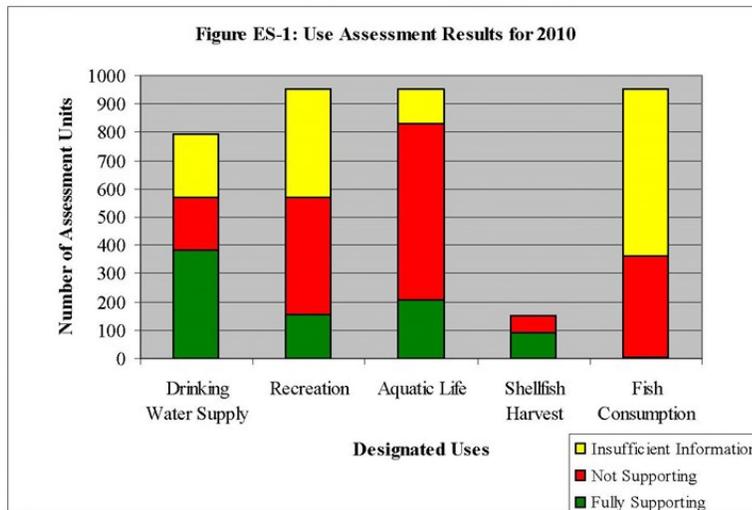
Figure ES-1: Statewide Designated Use Assessment Results, 2016



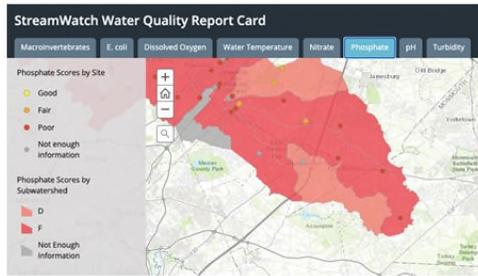
New Jersey Water Pollution Issues



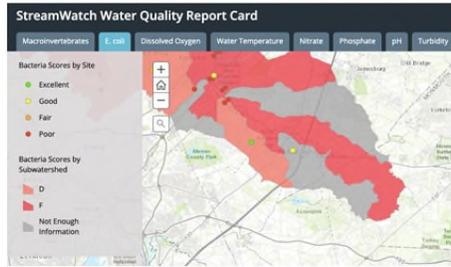
Figure ES-1: Use Assessment Results for 2010



Millstone Township Water Pollution Issues

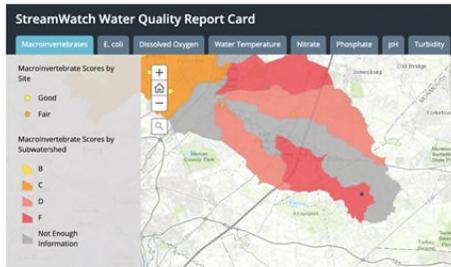


Phosphate



E Coli

Aquatic Life



New Jersey Water Pollution Issues



Declining water quality trends for nitrate, total dissolved solids (TDS) and chlorides were also observed. Ammonia reduction measures implemented at waste treatment plants oxidize ammonia to form nitrate, resulting in increased nitrate concentrations over time. Runoff from urban and agricultural areas, including runoff of salt used to control ice on roadways, are the likely cause of increased TDS and chloride concentrations over time.

-2016 Draft New Jersey Integrated Water Quality Assessment Report

New Jersey Water Pollution Issues



However, there was an observable trend in the number of “Excellent” conditions and “Poor” conditions migrating toward the “Good” and “Fair” categories. **The trends also show a correlation between biological impairment and anthropogenic factors** such as land use, total urban land, increase in impervious surface, and decrease in forests and wetlands in a stream’s drainage basin. **The replacement of pervious land with impervious surfaces increases storm water and the associated impacts** such as degraded riparian zones, unstable streambanks, higher turbidity, nutrients and other chemicals.

-2016 Draft New Jersey Integrated Water Quality Assessment Report



Stormwater Management



- Current program may be slowing the rate at which the stormwater problem is getting worse.
- But only large developments are addressed
- Program not addressing existing stormwater problems



Problems:



- Flooding problems are just pushed “downstream”
- Pollutants picked up by stormwater and carried to streams
- Increased runoff volumes

NJDEP Green Infrastructure Rule



What the Rule Does:

Green Infrastructure Rule requires stormwater be addressed using Green Techniques

Codifies current practice of not requiring water quality treatment for non-motorized vehicle traffic surfaces

Mitigation requirements

Deed notices

Municipalities have 1 year to adopt new ordinance

Removes Nonstructural Strategies from design standards

NJDEP Green Infrastructure Rule



“Green infrastructure” means a stormwater management measure that manages stormwater close to its source by:

1. Treating stormwater runoff through infiltration into subsoil;
2. Treating stormwater runoff through filtration by vegetation or soil; or
3. Storing stormwater runoff for reuse.



NJDEP Green Infrastructure Rule



“**Major development**” means an individual “development,” as well as multiple developments that individually or collectively result in:

1. The disturbance of one or more acres of land since February 2, 2004;
2. The creation of one-quarter acre or more of “regulated impervious surface” since February 2, 2004;
3. The creation of one-quarter acre or more of “regulated motor vehicle surface” since (the operative date of this rulemaking); or
4. A combination of 2 and 3 above that totals an area of one-quarter acre or more. The same surface shall not be counted twice when determining if the combination area equals one quarter acre or more

NJDEP Green Infrastructure Rule



Table 5-1
Green Infrastructure BMPs for Groundwater Recharge, Stormwater Runoff Quality, and/or Stormwater Runoff Quantity

Best Management Practice	Stormwater Runoff Quality TSS removal rate (percent)	Stormwater Runoff Quantity	Groundwater Recharge	Minimum separation from seasonal high water table (feet)
Cistern	0	Yes	No	-
Dry Well ^(a)	0	No	Yes	2
Grass Swale	50 or less	No	No	2 ^(e) 1 ^(f)
Green Roof	0	Yes	No	-
Manufactured Treatment Device ^{(a) (g)}	50 or 80	No	No	Dependent upon the device
Pervious Paving System ^(a)	80	Yes	Yes ^(b) No ^(c)	2 ^(b) 1 ^(c)
Small- Scale Bioretention System ^(a)	80 or 90	Yes	Yes ^(b) No ^(c)	2 ^(b) 1 ^(c)
Small-Scale Infiltration Basin ^(a)	80	Yes	Yes	2
Small-Scale Sand Filter ^{(a)(b)}	80	Yes	Yes	2
Vegetative Filter Strip	60-80	No	No	-

Regulation: GI Rule



Table 5-2
Green Infrastructure BMPs for Stormwater Runoff Quantity (or for Groundwater Recharge and/or Stormwater Runoff Quality with a Waiver or Variance from N.J.A.C. 7:8-5.3)

Best Management Practice	Stormwater Runoff Quality TSS removal rate (percent)	Stormwater Runoff Quantity	Groundwater Recharge	Minimum separation from seasonal high water table (feet)
Bioretention System	80 or 90	Yes	Yes ^(b) No ^(c)	2 ^(b) 1 ^(c)
Infiltration Basin	80	Yes	Yes	2
Sand Filter ^(b)	80	Yes	Yes	2
Standard Constructed Wetland	90	Yes	No	N/A
Wet Pond ^(d)	50-90	Yes	No	N/A

Regulation: GI Rule



Table 5-3
BMPs for Groundwater Recharge, Stormwater Runoff Quality, and/or Stormwater Runoff Quantity only with a Waiver or Variance from N.J.A.C. 7:8-5.3

Best Management Practice	Stormwater Runoff Quality TSS removal rate (percent)	Stormwater Runoff Quantity	Groundwater Recharge	Minimum separation from seasonal high water table (feet)
Blue Roof	0	Yes	No	N/A
Extended Detention Basin	40-60	Yes	No	1
Manufactured Treatment Device ^(h)	50 or 80	No	No	Dependent upon the device
Sand Filter ^(c)	80	Yes	No	1
Subsurface Gravel Wetland	90	No	No	1
Wet pond	50-90	Yes	No	N/A

Regulation: GI Rule



Best Management Practice	Maximum Contributory Drainage Area
Dry Well	1 acre
MTD	2.5 acres
Pervious Paving System	Area of additional inflow cannot exceed three times area occupied by the BMP
Small-scale Bioretention Systems	2.5 acres
Small-scale Infiltration Basins	2.5 acres
Small-scale Sand Filter	2.5 acres

Regulation: GI Rule



Variance & Mitigation – NJAC 7:8-4.6

- The applicant demonstrates that it is **technically impracticable** to meet any one or more of the design and performance standards on-site. For the purposes of this analysis, technical impracticability exists only when the design and performance standard cannot be met for engineering, environmental, or safety reasons.
- The applicant demonstrates that the proposed design achieves the maximum possible compliance with the design and performance standards on-site
- This test is applied to each drainage area on the site.

Regulation: GI Rule



Variance & Mitigation – NJAC 7:8-4.6

- Mitigation project must be either:
 - Identified in a mitigation plan, or
 - Meet criteria setup in the mitigation plan
- Project must be within the same HUC14 as the development
- Mitigation project must address the standard that was waived.
- Must be constructed before or during the construction of the proposed project.

Enhanced Model Stormwater Ordinance-Components



- Redefine Major Development
- Address smaller developments
- Address Redevelopment
- Capture and treated stormwater onsite
- Enhanced analysis of environmental impacts from development
- Permitting and Reporting Requirements

Strengthening Millstone's Stormwater Ordinance



Trigger for Stormwater Management

- Any major or minor development (Regardless of whether or not a site plan or subdivision is required)
- Address redevelopment for both major and minor projects

Major Development

- Reduce trigger to 1/2 acre of soil disturbance (21,780 SF) or
- 5,000 square feet of impervious cover
- Retain onsite the 95% storm event

Strengthening Millstone's Stormwater Ordinance



Minor Development

- Define as 250 SF or more increase in impervious surface
- Capture onsite 2 gallons of stormwater per square feet of impervious surface
- Retain on site the 95% storm event



Other Towns' Stormwater Ordinances



Minor Development Conditions

Examples of Triggers:

- 200 ft² for construction or alteration of any structure requiring building permit or 500 ft² of land disturbance
- 400 ft² of new impervious cover
- 500 ft² of new impervious or 1,250 ft² of disturbance
- 1,000 ft² or more of new impervious surface or more than 2,500 ft² of soil disturbance

Other Towns' Stormwater Ordinances



Minor Development Conditions

Examples of Required Treatment:

- Seepage pits or other infiltration measures providing three inches of runoff capacity for each square foot of new impervious area. (Edison, Franklin, Bernardsville, etc.)
- Residential development- sliding scale (ex. 200 ft³ for 700 ft²) (Cranford)
- 2 gallons per square foot of impervious cover (Princeton)

Variance/Waiver Fee



- A Waiver fee is possible for Minor development.
- *A Waiver Fee is not possible for Major Development*
- *Waiver of all or part of the minor development requirements under certain circumstances:*
 - *The applicant demonstrates that it is technically impracticable to meet any one or more of the design and performance standards on-site. For the purposes of this analysis, technical impracticability exists only when the design and performance standard cannot be met for engineering, environmental, or safety reasons*
- *Fee should be uniformed and based upon the cost to implement the stormwater management.*

Options for Residential Stormwater Management



Rain Gardens

Impervious Surface Area`	Rain Garden Size CLAY SOIL*	Rain Garden Size SILTY SOIL	Rain Garden Size SANDY SOIL
500 ft ²	200 ft ²	100 ft ²	75 ft ²
750 ft ²	350 ft ²	150 ft ²	112 ft ²
1,000 ft ²	400 ft ²	200 ft ²	149 ft ²
1,500 ft ²	600 ft ²	300 ft ²	224 ft ²
2,000 ft ²	800 ft ²	400 ft ²	299 ft ²

(Source: Rain Garden Manual of New Jersey, Rutgers Water Resources Program)

Cost: \$3-5/ ft² for do-it-yourself rain garden construction
 \$10-15/ ft² for project using landscaper

(Source: Rain Garden Alliance raingardenalliance.org)

Enhanced Model Stormwater Ordinance



Enhanced analysis of environmental impacts from development

- Map onsite and adjacent environmental features including forests, core forests
- Examine the short and long term impacts on environmental features. Example, maintaining sufficient water supply for wetlands.
- Examine impacts to adjacent property owners.

- Provide quality treatment for all runoff not just some.
- Continue use of nonstructural or low impact design requirements.
- Incorporate TMDL in project review and approvals

Enhanced Model Stormwater Ordinance



Require inspection of all stormwater management features

- Annual stormwater permit
- Quarterly reports submitted by property owners
- Inspections by municipality auditing compliance with maintenance requirement
- Fee paid by property owners for inspection program
- Assists municipality in complying with MS4 requirements.



Next Steps



- New ordinance must be in effect by March 2021
- Green Infrastructure education for municipal employees, engineers, landscape architects and the public:
 - Watershed Institute Green Infrastructure Certification Court- Feb. 4&5
 - Green Infrastructure Maintenance Training- Feb. 26, 2020
- Identify potential sites for public and private green infrastructure projects

Resources



- [Green Infrastructure Rule Webinar-April 23, 2020](#)
- [The Watershed Institute's Enhanced Model Ordinance](#)
- [The Watershed Institute's Enhanced Model Ordinance Webinar](#)
- [The Watershed Institute Green Infrastructure Certification](#)
- [NJ Future Green Infrastructure Tool Kit](#)



Thank You

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